



## PLANNING COMMISSION BYLAWS

### PREAMBLE

The Ridgway Planning Commission was created by the Ridgway Town Council pursuant to the provisions of the Colorado Revised Statutes, Section 30-28-101 et. seq. The Ridgway Planning Commission has the authority and responsibilities as defined by the statutes under which it is created and the regulations of the Town of Ridgway and the Ridgway Municipal Code. These Bylaws are for the purpose of creating an organizational framework for the Planning Commission and should not be construed as diminishing, increasing or amending the authority or the responsibilities as specified within the Ridgway Municipal Code.

### SECTION 1: MEMBERSHIP

- A. The Ridgway Planning Commission shall consist of seven members. All members shall be qualified electors of the Town.
- B. Five members shall be appointed by the Mayor to serve six-year terms, which expire at one-year intervals. The Mayor and one member of Town Council, appointed by Mayor, shall be ex-officio members, and shall serve for the period of their incumbency.
- C. The Mayor may appoint an alternate who may serve and vote in the absence of any of the regular members. Such alternate shall serve a two-year term ending on December 31<sup>st</sup> of the odd numbered years. The alternate member may take the place of a regular member in the event any regular member is temporarily unable to act owing to absence from the Town, illness, conflict of interest in any matter before the Planning Commission (recusal), or any other cause. His/her place may be taken during such temporary disability by the alternate member, who shall then act as a voting member of the Commission for the duration of the meeting or hearing.
- D. Members may resign from the Ridgway Planning Commission by submitting written notice of such resignation to the Mayor and the Commission.
- E. Members may be removed for malfeasance in office by the Mayor. If any member, other than the Mayor, misses more than five meetings in a calendar year, they shall be automatically removed.
- F. In the event of a resignation or removal of a Commissioner by the Mayor, the Mayor shall appoint a replacement to serve for the remaining term of the member leaving the Commission.



## SECTION 2: OFFICERS

- A. The officers of the Planning Commission shall be a Chairperson and Vice Chairperson. Other officers, as may be deemed necessary, may be appointed by the Planning Commission. No person may hold more than one office at the same time.
- B. The officers shall serve terms of two years and shall be elected at the first regular meeting after the conclusion of the terms of the preceding Chairperson and Vice Chairperson. In the event of a vacancy in any office because of resignation or otherwise, the vacancy shall be filled by the members of the Planning Commission for the unexpired portion of the term, by vote of the remaining members of the Commission.
- C. The Chairperson shall preside at all meetings of the Planning Commission, sign documents of the Commission, and see that all actions are properly taken.
- D. The Vice Chairperson shall serve in the absence or incapacity of the Chairperson. The Vice Chairperson shall succeed the Chairperson if he/she vacates the office before the term is completed and a new Vice Chairperson shall be elected at the next scheduled meeting.
- E. In the event that both the Chairperson and Vice Chairperson are absent, the attending members, if a quorum has been established, may select a temporary Chairperson for the meeting, and the meeting may proceed as scheduled.
- F. The Town Clerk or designee shall take minutes for all meetings.

## SECTION 3: MEETINGS

- A. Regular meetings and/or public hearings of the Planning Commission shall be held on the last Tuesday of each month at 5:30 p.m. Meetings are typically held at Ridgway Town Hall but may be held electronically per applicable adopted Town policies. The Planning Commission may alter the date, time and/or place of regular meetings when needed, at any regularly scheduled meeting.
- B. Special meetings or work sessions may be held at any time, following at least a 24-hour notice to each member of the Commission and the public. Special meetings designed for a public hearing that meet all applicable public hearing notice requirements can result in a decision requiring a formal motion. Decisions requiring formal motions may not be made at work sessions.
- C. In order to determine if a quorum will be present, each member of the Planning Commission who has knowledge of the fact that she/he will not be able to attend a scheduled meeting of the Planning Commission, shall notify the Town Planner at the earliest possible opportunity, and in any event, prior to 4:00 p.m. on the day of the meeting.
- D. The business of the Planning Commission shall be conducted in accordance with the Colorado Open Meetings Law (C.R.S., Section 24-6-401, et seq.).



- E. The Planning Commission will make a reasonable effort to act on all items scheduled on the agenda before adjourning their meeting. However, if the Commission is in session an unreasonably long time, the Commission may (adjourn) continue the meeting to a specific date and time at which to consider the remaining items on the agenda upon a motion made duly made and carried.
- F. Members of the Ridgway Planning Commission must be present to vote.
- G. All meetings of the Commission are open to the public and shall be conducted in accordance with the Ridgway Municipal Code. Commissioners are strongly encouraged to acquaint themselves with the Rules of Conduct for Council Meetings and the General Business of the Town of Ridgway and abide by the provisions in those policies. On question of parliamentary procedure not covered by these bylaws, the most recent available edition of Robert's Rules of Order should govern. Meetings of the Planning Commission generally follow this format:
  - 1. Chair calls meeting to order.
  - 2. Staff from the Town Clerk's Office completes roll call.
  - 3. Chair explains rules and format that will guide the meeting and any public hearings. The general rules and format are as follows:
    - a. Hearings will be conducted in a manner so as to afford due process to all participants.
    - b. All questions and comments are to be directed through the Chair. This includes questions Commission members may have of the applicant, their representatives, or the public.
    - c. The Chair may limit the time of public comments if he/she determines it is necessary to conduct the meeting or hearing in an orderly and timely manner and give all scheduled applicants and participants a fair and reasonable amount of time to be heard. If time limits on testimony are to be set, the Chair will advise the audience of the time limits at the start of the agenda item.
    - d. Individuals that plan to address the Commission must approach the established public speaking location and state their name and address. Speakers are encouraged to present new information that has not previously been heard or entered into the record and to refrain from presenting cumulative or repetitive remarks or testimony. The speaker can rather say they support or do not support one of the other speaker's comments.
    - e. The Chair may limit public comment or questions if found to be repetitive, harassing in nature, or disruptive.
  - 4. For each agenda item, the Chair reads the agenda item into the record and states if it is a formal public hearing or not.
    - a. If applicable, staff makes a presentation for the agenda item. If it is a public hearing, staff will review the staff report which includes a summary of the request, applicable regulations, and an



- analysis of the how the application meets or does not meet the required criteria. Other Town staff may be recognized and asked or given an opportunity to comment on the application.
- b. Commission members may then ask staff questions. Questions may be about the presentation or any information that has been submitted or any issues related to the application.
  - c. The Chair then requests that the applicant makes their presentation if desired. This may include the applicant asking the staff questions concerning the staff report or presentation. The applicant must approach the designated public speaking location.
  - d. Commission members may then ask the applicant questions.
  - e. Chair opens the meeting to the public for questions or comments on the application or issue. The Chair must call on or recognize each speaker before speaking. The Chair may remind the public of the expected protocol if warranted.
  - f. Chair closes the meeting to public comment. The Chair may re-open the meeting at a later time for public comment at his/her discretion.
  - g. Staff from the Town Clerk's office shall read any submitted public comments into the record, unless the person who submitted the comment is present and confirms they do not want it read.
  - h. Commission members deliberate. They may ask questions of staff, the applicant, or the public.
  - i. Commission takes action per Section 5 below.
  - j. Repeat above steps for each agenda item as necessary.
5. Adjourn the meeting.

#### SECTION 4: PROCEDURES

- A. All applications and other matters requiring Planning Commission approval or recommendation shall follow the procedure that is outlined in the Ridgway Municipal Code.
- B. For actions requiring recommendation to the Town Council, staff shall prepare a written report based on the information presented and discussed at the Planning Commission hearing to provide to Town Council.
- C. The Planning Commission may recommend, from time to time as it may deem advisable, amendments to the zoning and subdivision regulations, master plan, building codes, and other regulations of the Town. Such recommendations shall be transmitted to the Town Council in writing.
- D. Matters referred to the Commission by Town Council shall be placed on the agenda for consideration and action at the first regular meeting of the Commission after such reference, provided that an appropriate amount of time is allowed for public notice if required by law.



- E. Deadline for filing for placement on the agenda for applications for any actions requiring Planning Commission review shall be at least 15 days prior to consideration by the Planning Commission unless otherwise specified in the Ridgway Municipal Code.
- F. Any member of the Planning Commission who has a conflict of interest or the potential of a conflict of interest shall comply with legal disclosure requirements. Prior to meeting these disclosure requirements, Commissioners may consult with the Town Attorney to determine the appropriate procedure. It is the obligation of each Commissioners to determine if they have a conflict of interest.
  - 1. In the case of a conflict of interest, or potential conflict of interest where the Commissioner chooses not to participate, the Commissioner shall disclose the real (or potential) conflict of interest just after the agenda item has been introduced. If the Commissioner is recusing themselves, they must leave the room as to not influence the decision.
  - 2. In the case of a potential (but not actual) conflict of interest where the Commissioner wishes to participate, the Commissioner shall disclose the potential conflict and clarify that there is no actual conflict.
  - 3. A Commissioner shall not create or use the excuse of a conflict of interest, where one does not exist, in order to recuse themselves from participating in the business of the Planning Commission.

## SECTION 5: ACTIONS

- A. All actions of the Ridgway Planning Commission shall be made and seconded by motion. Discussion on a motion may be had only after a second to the motion has been made.
- B. Commissioners may informally offer amendments to the main motion. If accepted by the maker and seconder, the amendment is then considered to be a part of the main motion to be voted on. If the amendment is not accepted informally, then a formal and separate motion to amend is required.
- C. A Commissioner may withdraw their motion or second at any time prior to a vote.
- D. Voting shall be by voice, signified by “Aye” or “Nay” by each member. The Town Clerk or designee shall keep a record of the vote in the meeting minutes.
- E. A quorum of the Planning Commission shall be four (4) members.
- F. A majority of Commissioners entitled to vote shall constitute a quorum for the transaction of business; any motion receiving less than a majority vote in favor shall fail.
- G. Any business may be transacted by a majority vote of the quorum except the adoption of a master plan or any part, amendment or extension or addition thereof, which shall be by resolution carried by affirmative votes of not less than a majority of the entire membership of the Commission, unless otherwise specified in the Municipal Code. Such topics shall be conducted as a Public Hearing.



H. Tie Vote:

1. A tie vote on any motion means the defeat of the motion for a lack of a majority vote.
  2. When a tie vote occurs and no other motion is passed on the item, the item shall be forwarded to the Town Council with a report of the tie vote. In addition to the report of the tie vote, supporting and objecting opinions shall be submitted to the Town Council.
- I. All decisions must be made in accordance with the Ridgway Municipal Code. Typically, the Commission may approve, disapprove (deny), approve with conditions, or continue to a specific date/time specific. If the Commission is to make a recommendation to Town Council, the Commission can recommend approval, disapproval (denial), or approval with conditions.
- J. The Commission shall execute all required actions within reasonable time frames and as prescribed by the Municipal Code.

## SECTION 6: AMENDMENTS

These bylaws may be altered, amended or repealed and new bylaws may be adopted by the Planning Commission at any special meeting called for that purpose or at any regular meeting where the matter has been duly placed on the agenda.

## SECTION 7: ADOPTION

Approved by the Ridgway Planning Commission on September 29, 2020.